

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF TEXAS**  
**FORT WORTH DIVISION**

<b>UNITED STATES OF AMERICA</b>	§	
	§	
<b>v.</b>	§	<b>4-15-CR- 038-O</b>
	§	
<b>DANTANA TANKSLEY (1)</b>	§	
	§	

**SECOND SUPPLEMENT TO FOURTH UNOPPOSED MOTION TO CONTINUE JURY TRIAL**

Defendant Dantana Tanksley, through undersigned counsel, respectfully submits this second supplement to his motion to continue and shows the following:

I.

Defendant has requested a continuance of the June 29, 2015 trial of this case pending the decision by the Supreme Court in *Johnson v. United States*, Docket No. 13-7120. The defendant fully incorporates the argument and authority set forth in his Fourth Unopposed Motion for Continuance. For the purpose of supplementing that motion, and for the information of the Court, the Supreme Court did not issue an opinion in *Johnson* this morning, June 25, 2015. Undersigned counsel understands from the SCOTUS blog that *Johnson* could be decided this Friday, June 26, or Monday, June 29. Sessions are scheduled for both days. It is also possible that the decision could be issued later next week as well, although no sessions have been scheduled at this time. Counsel continues to request a continuance for the reasons already stated in the Fourth Unopposed Motion for Continuance, and for the reason that if *Johnson* is decided and the defendant decides to plead guilty, he can still get the benefit of his third point for timely acceptance of responsibility. In

addition, at this point, arrangements are being made for the defendant's gunshot residue expert to fly in from out of town for trial on Monday. The defense would request the continuance be granted so that the travel expenses are not unnecessarily incurred, in the event that a jury trial is not going to take place on Monday, June 29, 2015.

Wherefore, the defendant respectfully prays this Court consider the above supplement to the defendant's Fourth Unopposed Motion to Continue the trial of this case.

Respectfully submitted,  
JASON HAWKINS  
Federal Public Defender  
Northern District of Texas

BY: /s/ Christopher A. Curtis  
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#### **CERTIFICATE OF CONFERENCE**

On June 18, 2015, I conferred with the attorney for the government, Frank Gatto, concerning his position on this motion, and he was not opposed to this motion. Mr. Gatto will be on military duty July 10 through and including July 13, 2015 and August 2 through and including August 15. Undersigned counsel has no conflicts in the next 90 days, except that he is scheduled to be a presenter in CLE training in Dallas on July 30 and July 31, 2015.

/s/ Christopher A. Curtis  
Christopher A. Curtis

#### **CERTIFICATE OF SERVICE**

I, Christopher A. Curtis, hereby certify that on June 22, 2015, I electronically filed the foregoing supplement with the clerk for the U.S. District Court, Northern District of Texas, using the electronic filing system for the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means: Frank Gatto.

/s/ Christopher A. Curtis  
Christopher A. Curtis